

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

In re: NEXIUM (ESOMEPRAZOLE)
ANTITRUST LITIGATION

This Document Relates To:

ALL END-PAYOR ACTIONS

MDL No. 2409

Civil Action No.: 1:12-md-2409-WGY

**END-PAYOR CLASS PLAINTIFFS' MOTION FOR FINAL APPROVAL OF
PROPOSED CLASS ACTION SETTLEMENTS WITH DRL AND TEVA**

United Food and Commercial Workers Unions and Employers Midwest Health Benefits Fund; Allied Services Division Welfare Fund; Fraternal Order of Police Miami Lodge 20, Insurance Trust Fund; New York Hotel Trades Council & Hotel Assoc. of New York City, Inc. Health Benefits Fund; Laborers International Union of North America Local 35 Health Care Fund; International Brotherhood of Electrical Workers Local 595 Health and Welfare Fund; Laborers International Union of North America Local 17 Health Care Fund; International Union of Machinists and Aerospace Workers District No. 15 Health Fund; Michigan Regional Council of Carpenters Employee Benefits Fund; and A.F. of L. – A.G.C. Building Trades Welfare Plan (“End-Payor Class Plaintiffs”), on behalf of themselves and the certified End-Payor Class (collectively “End-Payor Class”), pursuant to Federal Rule of Civil Procedure 23(e), respectfully move for entry of an order granting final approval of the proposed separate settlements with defendants (1) Dr. Reddy’s Laboratories, Ltd. and Dr. Reddy’s Laboratories, Inc. (“DRL Settlement”) and (2) Teva Pharmaceutical Industries Ltd. and Teva Pharmaceuticals USA, Inc. (“Teva Settlement”).

In support of this motion, End-Payor Class Plaintiffs submit: (1) a Memorandum of Law in Support of End-Payor Class Plaintiffs' Motion for Final Approval of Proposed Class Action Settlement with DRL and Teva, with accompanying proposed approval orders and judgments; and (2) the Declaration of Kenneth A. Wexler in Support of End-Payor Class Plaintiffs' Motion for Final Approval of Proposed Class Action Settlements with DRL and Teva.

Certification Under Local Rule 7.1(a)(2)

Pursuant to Local Rule 7.1(a)(2), undersigned counsel hereby certify that counsel for DRL and Teva do not oppose the motion.

Dated: September 9, 2015

Respectfully submitted,

/s/ Glen DeValerio
Glen DeValerio (BBO #122010)
BERMAN DeVALERIO
One Liberty Square
Boston, MA 02109
Tel: (617) 542-8300
Fax: (617) 542-1194
gdevalerio@bermandevalerio.com

Liaison Counsel for the End-Payor Class

Steve D. Shadowen
HILLIARD & SHADOWEN LLC
39 West Main Street
Mechanicsburg, PA 17055
Tel: (855) 344-3298
steve@hilliardshadowenlaw.com

Anne Fornecker
HILLIARD & SHADOWEN LLC
919 Congress, Suite 1325
Austin, TX 78701
Tel: (512) 322-5339
anne@hilliardshadowenlaw.com
daniel@hilliardshadowenlaw.com

Jayne A. Goldstein

POMERANTZ LLP
1792 Bell Tower Lane
Suite 203
Weston, FL 33326
Tel: 954-315-3454
Fax: 954-315-3455
jagoldstein@pomlaw.com

Kenneth A. Wexler
Bethany R. Turke
Justin N. Boley
WEXLER WALLACE LLP
55 W. Monroe Street, Suite 3300
Chicago, IL 60603
Tel: (312) 346-2222
Fax: (312) 346-0022
kaw@wexlerwallace.com
brt@wexlerwallace.com
jnb@wexlerwallace.com

J. Douglas Richards
Sharon K. Robertson
COHEN MILSTEIN SELLERS & TOLL,
PLLC
88 Pine Street, 14th Floor
New York, New York 10005
Tel: (212) 838-7797
Fax: (212) 838-7745
drichards@cohenmilstein.com
srobertson@cohenmilstein.com

Co-Lead Counsel for the End-Payor Class

CERTIFICATE OF SERVICE

I, Glen DeValerio, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: September 9, 2015

/s/ Glen DeValerio
Glen DeValerio